

Laboratory Certification Standards Review Council Meeting Minutes From 8/18/2004

Attendance

Council Members: Paul Junio (Chair), George Bowman (Vice Chair), Marcia Kuehl (Secretary), Kurt Knuth, Katie Edgington, Randy Herwig, and Jim Kinscher

DNR Staff: David Webb, Greg Pils, Rick Mealy, Diane Drinkman, Joe Renville

Others in Attendance: Paul Harris, R.T. Krueger, Randy Thater

Summary and Action Items

At this meeting the Certification Standards Review Council:

- approved the minutes from their May 4, 2004 meeting.
- reviewed the LabCert Program's audit, report, and closure totals for the final quarter of FY 2004 and performance relative to annual program goals.
- discussed the status of the LabCert Program Review project.
- discussed the role of the Council in response to requests for variance submitted to the LabCert program
- discussed recent action of the watershed management group.
- tentatively scheduled the Council's next meeting for Tuesday, November 16, 2004. Randy Herwig indicated that he would check on availability of the Lodi City Hall for the meeting.

Agenda Items

I. Check in/Agenda Repair

- A. Council members, DNR staff and Guests were introduced. No items were presented for addition to the agenda.
NOTE: This meeting was scheduled for only one hour due to an NR149 meeting which was scheduled to convene from 10:00 to 3:00.

II. Approval of Previous Meeting's Minutes

- A. The draft minutes from the Council's May 4, 2004, meeting were approved unanimously (Bowman/Herwig).

III. Audit Status – Quarterly Update

- A. Greg Pils provided the council with a summary of the Laboratory Certification Program's audits' reports, and audit closures for the fourth quarter of Fiscal Year 2004. The FY 2004 tallies appear in the tables on the following page. Pils noted that targets for audits and reports were achieved. Although the number of closures fell a little shy of the mark, this is typical due to the nature of different audit cases.
- B. Pils stated that the number of Regional lab audits and reports (101) were down slightly from program goals (106), but a review of the Regional backlog shows that the Program is caught up. This is because the Program "goal" is merely the number of Regional laboratories divided by the projected 3-year audit cycle.
- C. With respect to Central Office audits, the goal was to have no laboratories more than 3.5 years removed from their previous audit. The number of labs that fell into this classification has been reduced from 11 to 5. At present there are only 14 labs that are more than 3 years removed from their prior audit.
- D. Pils noted that one commercial lab (Kemron) plans to switch to reciprocity [*NOTE: this has since transpired*]. Mealy pointed out that three (3) Regional labs, due for audits in FY05, have withdrawn from the program.

FY 2004 Quarterly Audit Activity

	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
CENTRAL OFFICE				
Audits	11	Audits 10	Audits 9	Audits 14
Reports	13	Reports 12	Reports 7	Reports 13
Closures	5	Closures 12	Closures 4	Closures 20
REGIONAL				
Audits	24	Audits 23	Audits 25	Audits 29
Reports	19	Reports 28	Reports 24	Reports 30
Closures	24	Closures 16	Closures 26	Closures 43

FY 2004 Cumulative Audit Activity

CENTRAL OFFICE

Total Year-to-Date	Annual Goals
Audits 44	44
Reports 45	44
Closures 41	44

REGIONAL

Audits 101	106
Reports 101	106
Closures 109	106

Total Labs by Responsibility

CO (Central Office)	129
NE (Northeast Region)	72
WC (West Central Region)	87
SC (South Central Region)	74
SE (Southeast Region)	82
O (Other/Reciprocity Labs)	10

IV. LabCert Program Review Status

- A. Greg Pils reviewed the introduction to this project that was presented at the February 2004 Council meeting. Since February, LabCert staff have met several times and crafted a mission statement with three main components: (1) to promote a certain level of data quality, (2) to support DNR environmental programs, and (3) to do this via audits
- B. Pils explained that the purpose of the mission statement was (1) to provide a focal point--"Why are we doing this?" and (2) to define the role of LabCert and explain the rationale for its existence.
- C. Pils indicated that although the staff members have not met since, he has been strategizing how to move the project forward. He has subsequently re-visited the idea of doing a survey and decided there is merit to such a project. He has decided to draft a survey looking at (1) the audit process, (2) reports, (3) audit resolution, (4) PT samples, (5) technical assistance/outreach training.

Pils plans to develop a series of questions to review lab satisfaction with these areas of the program. The next step will be to circulate the survey to staff for comment. Finally, the survey will be sent out to a select group of laboratories and individuals: (A) all council members, and (B) a representative cross-section of laboratories in the program. Thoughts are to include about 20 commercial labs, 20 small wastewater labs, and all large municipal laboratories.

- D. Recipients will be asked to complete and return the survey within 4 weeks. Internally, Pils will collapse all responses to comments. As a group we will review all comments and determine whether the program needs to react. Finally, qualitative performance measures will be defined for each item.
- E. Pils will additionally develop a second set of questions for 1-on-1 interviews with key DNR Program leaders. Questions to be answered include things like:
 - "Are you familiar with the LabCert program?"
 - "Is the LabCert program meeting your needs?"
 - "Are there any other questions you have about the LabCert program."
- F. Pils concluded by expressing his plan to complete these task before the next Council meeting.

V. 4th Quarter NR 149 Variances Granted

- A. Greg Pils informed the Council that the State Lab of Hygiene (SLH) was granted a variance regarding evaluation of PTs for organochlorine pesticides. In that the SLH only analyzes for a finite set of organochlorine pesticides, PT grading will be based ONLY on performance on this select list of pesticides. Similarly, this variance limits the SLH's certification for organochlorine pesticides under category 16 to this finite list of analytes.
- B. As NR 149 indicates that, "the Department may ...approve variances...with the advice of the LabCert Council", there was some discussion about obtaining Council approval of variances via e-mail. Greg Pils reminded members and attendees that any correspondence between Lab Cert Council members constitutes a meeting and requires specific notification as a public meeting.
- C. Pils summarized the key issue as being one where the Council must determine the level of review it desires. In making this decision, it's important to remember that depending on the variance request, any delays in the process can hurt one or more laboratories. In addition, Pils pointed out that the Council's role is an advisory one, and historically, the nature of variance requests received can be characterized as needing very little discussion. A decision is typically quite clear.

Paul Junio asked if there was a way to get variance information sooner than quarterly. Pils responded that if it is a matter of simply informing the Council, then when a variance is granted, it can be e-mailed to the council as an information item.

Pils also indicated that if the Council prefers some level of review, then perhaps the Chair-person could serve as spokesperson for the Council and make a decision to either meet and discuss each proposed variance or outright approve the request for variance.

Dave Webb emphasized that if a certain number of requests are received for variance from a particular section of the rule, then likely there is a need to change the rule. He also indicated that in a number of cases, we get a request for variance where there's another alternative/option to issuing a variance.

Randy Herwig suggested that the topic of variances could be a standing agenda item. Paul Junio indicated that he liked the idea of having timely information about variance requests and the opportunity to discuss the issue in Council if there is some concern.

VI. Other Program and DNR Business

- A. NR 219 Update - Webb indicated that the proposed revisions to NR 219 had been adopted at the Natural Resources Board meeting held recently in LaCrosse. The rule will take effect within 90 days.

Paul Harris asked if rumors that "E. coli was not going to be pursued" are true". Dave Webb responded that he had spoken with Bob Masnado of Watershed Management (WM). An Advisory Committee has been established to look into the E. coli standard. Federal standards required states to set E. coli standards by April 2004. The Department is now involved with EPA regarding our approach on the issue

If/when WM promulgates a rule, it's likely we'll need to certify for it.. Paul Harris indicated that rumors suggest that the rule will continue to require fecal coliforms. Webb responded that he did not believe that to be the case.

- B. SDWA Status Update - Dave Webb indicated that the plan to send out a "Status Update" application to Safe Drinking Water labs is still "on". He indicated that draft materials were on his desk, and he'd be dealing with it shortly.

VIII. Future Meeting Date

- A. The next Council meeting was tentatively scheduled for Tuesday, November 16, 2004. The meeting was tentatively scheduled to be held at the Lodi City Hall.